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13 SAFEWAY INC. and SAFEWAY BENEFIT  
PLANS COMMITTEE

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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO

18 DENNIS M. LORENZ, Individually and On  
Behalf of All Others Similarly Situated,

19 Plaintiff,

20 vs.

21 SAFEWAY, INC.; SAFEWAY BENEFIT  
22 PLANS COMMITTEE; GREAT-WEST  
23 FINANCIAL RPS LLC; and DOES 1 through  
50, inclusive,

24 Defendants.

25 Case No. 3:16-cv-04903-JST

26 **JOINT STIPULATION TO CONTINUE  
CASE DEADLINES; ~~[PROPOSED]~~ ORDER**

1 Plaintiff, Dennis M. Lorenz (“Plaintiff”), and Defendants, Safeway Inc. (“Safeway”) and  
2 Safeway Benefit Plans Committee (“Benefit Plans Committee”), collectively (“Defendants”),  
3 through their counsel, hereby stipulate and agree that:

4 WHEREAS, the initial complaint was filed against Safeway Inc., the Benefits Plans  
5 Committee Safeway Inc. and Great-West Financial RFS LLC (“Great-West”) on August 25, 2016;

6 WHEREAS, the Court dismissed the claims against Great-West with prejudice and  
7 consequently removed Great-West as a defendant in this action on March 13, 2017 (ECF No. 58);

8 WHEREAS, the Rule 16(b) conference was held, and the Court then issued the current  
9 scheduling order on March 15, 2017 (ECF No. 60), setting the discovery, pre-trial and trial dates;

10 WHEREAS, after the scheduling order was issued, Plaintiff filed a third amended complaint  
11 on March 31, 2017;

12 WHEREAS, the Plaintiff and Defendants have exchanged certain initial disclosures, have  
13 engaged in written discovery and have been in the process of scheduling depositions;

14 WHEREAS, the Parties have been working diligently and cooperatively to prepare this case  
15 for trial, while also pursuing their efforts in a manner designed to avoid imposing undue burdens or  
16 expenses on any of the Parties;

17 WHEREAS, in light of the above and despite the Parties’ diligent efforts to cooperate, the  
18 Parties believe that the current schedule will not provide adequate time to complete discovery,  
19 expert disclosures, dispositive motions, and trial;

20 WHEREAS, the Parties have not previously requested any extensions of the pretrial or  
21 trial dates in this case;

22 WHEREAS, in the related case of *Maria Karla Terraza v. Safeway Inc., et al.* (No. 16-cv-  
23 03994-JST) (*see* Docket No. 26), the Court entered an order providing for a ninety (90) day  
24 continuance of the deadlines for expert and fact discovery and to file dispositive motions (*see* ECF  
25 No. 108 in *Terraza*) on November 30, 2017;

26 WHEREAS, the Court in the *Terraza* action also ordered that the next Case Management  
27 Conference be held on January 24, 2018, at 2:00 pm., the Pretrial Conference be held on September  
28 7, 2018, at 2 p.m. with the joint pretrial conference statement due on or before August 28, 2018, and

1 that trial shall commence on October 22, 2018, with eight (8) days reserved for trial;

2 WHEREAS, the Court in this action also ordered that the next Case Management  
3 Conference be held on January 24, 2018, at 2:00 pm. (ECF No. 74.1)

4 WHEREAS, the Parties have agreed that good cause exists for an order setting all the dates,  
5 including the pretrial and trial dates, to the dates set in in the *Terraza* action because the issues in  
6 these two actions overlap;

7 NOW, THEREFORE, the Parties, through their respective counsel, hereby stipulate, subject  
8 to the approval of the Court, to the following schedule:

9	March 22, 2018	Deadline to complete fact discovery
10	April 12, 2018	Deadline for expert disclosures
11	May 2, 2018	Deadline for expert rebuttal
12	May 21, 2018	Deadline to complete expert discovery
13	June 15, 2018	Deadline to file dispositive motions
14	September 5, 2018	Deadline to file pretrial conference statement
15	September <u>7</u> , 2018, at 2 p.m.	Pretrial Conference
16	October <u>22</u> 2018	Trial (eight court days)

17 TRUCKER ♦ HUSS  
18

19 Dated: December 15, 2017

By:/s/ R. Bradford Huss

R. Bradford Huss  
Attorneys for Defendants SAFEWAY INC. and  
SAFEWAY BENEFIT PLANS COMMITTEE

22 SCHNEIDER, WALLACE, COTTRELL, KONECKY,  
23 WOTKYNS, LLP

24 Dated: December 15, 2017

By:/s/ Kyle Bates

Kyle Bates  
Attorneys for Plaintiff, Dennis M. Lorenz

1 Pursuant to L.R. 5-1(i)(3) regarding signatures, I, R. Bradford Huss, attest that concurrence in the  
2 filing of this document has been obtained from each of the other signatories.

3 /s/ R. Bradford Huss  
4 R. Bradford Huss

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2                   **[PROPOSED] ORDER**

3                   **IT SO ORDERED.**

4                   The Pretrial Conference shall be held on September 7, 2018, at 2 p.m., and the  
5 trial shall commence on October 22, 2018, with eight (8) days reserved for trial. The  
parties shall file a joint pretrial conference statement on or before August 28, 2018.

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7                   DATED: December 18, 2017



8                   Jon S. Tigar  
9                   Judge of the United States District Court